



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/876,843	06/06/2001	Howard A. Heller	2504/0J031	7719
7278	7590	01/25/2005		EXAMINER
DARBY & DARBY P.C. P. O. BOX 5257 NEW YORK, NY 10150-5257				FOX, JAMAL A
			ART UNIT	PAPER NUMBER
			2664	

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/876,843	HELLER, HOWARD A.
	Examiner	Art Unit
	Jamal A Fox	2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 06 June 2001.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 5-11 and 14-17 is/are allowed.
- 6) Claim(s) 1 and 12 is/are rejected.
- 7) Claim(s) 2-4, 13 and 16 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 06 June 2001 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9/23/03.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because it should be within the range of 50 to 150 words. Correction is required. See MPEP § 608.01(b).
3. The disclosure is objected to because of the following informalities: On Page 2 line 28, after "data", "packets" is spelled incorrectly.

Appropriate correction is required.

### ***Claim Objections***

4. Claim 16 is objected to because of the following informalities: On line 20, after "retrieved" a space needs to be inserted. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu. Referring to claim 1, Hsu discloses in a data transmission system including a wireless link for transmitting packets between an end user machine (Fig. 1 ref. sign 33 and respective portions of the spec.) and an Internet server (Fig. 1 ref. sign 27 and respective portions of the spec.) that houses content in the form of web pages (web page, col. 17 lines 53-60) containing objects, the wireless link comprising a mobile subscriber unit (Fig. 1 ref. sign 17 and respective portions of the spec.) coupled to the end user machine and a base station (Fig. 1 ref. sign 35 and respective portions of the spec.) coupled to the server and in radio communication with the subscriber unit, a selected web page (web page, col. 18 lines 19-21) on the server being retrieved in the form of web page data packets in response to web page retrieval request packets, the objects on such web page being separately (single interface, col. 18 lines 22-28) retrievable in the form of object data packets in response to object retrieval request data packets, a method of maximizing transmission efficiency over the wireless link, which comprises the steps of: intercepting (intercept data packets, col. 32 lines 25-27) the retrieved web page data packets on the base station side of the wireless link; locally generating, from the intercepted retrieved web page data packets, object retrieval request packets representative of the objects on the selected web page (web page, col. 23 lines 56-65); transmitting (transmitting, col. 4 lines 40-47, the locally generated object retrieval request packets to the server to retrieve the corresponding object data packets; locally storing (store, col. 8 lines 18-24 and col. 18 lines 41-46) the retrieved web page

data packets and the retrieved object data packets; but does not explicitly teach of selectively transmitting the locally stored web page data packets and at least a portion of the locally stored object data packets in bundled form to the subscriber unit side of the wireless link. However, transmitting RF signals is disclosed in (col. 14 lines 9-11). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included to the invention selectively transmitting the locally stored web page data packets and at least a portion of the locally stored object data packets in bundled form to the subscriber unit side of the wireless link in order to navigate to a specific web page as suggested by Hsu (col. 17 lines 53-57).

Referring to claim 12, Hsu discloses in a data transmission system including a wireless link for transmitting packets between an end user machine (Fig. 1 ref. sign 33 and respective portions of the spec.) and an Internet server (Fig. 1 ref. sign 27 and respective portions of the spec.) that houses content in the form of web pages (web page, col. 17 lines 53-60) containing at least one object, the wireless link comprising a mobile subscriber unit (Fig. 1 ref. sign 17 and respective portions of the spec.) coupled to the end user machine and a base station (Fig. 1 ref. sign 35 and respective portions of the spec.) coupled to the server and in radio communication with the subscriber unit, a selected web page (web page, col. 18 lines 19-21) on the server being retrieved in the form of web page data packets in response to web page retrieval request packets, the objects in such web page being separately (single interface, col. 18 lines 22-28) retrievable in the form of object data packets in response to object retrieval request packets; means (device, col. 32 lines 25-27) for intercepting the retrieved web page

data packets on the base station side of the wireless link; means (browser window, col. 23 lines 56-65) responsive to the intercepted web page data packets for locally generating object retrieval request packets for transmittal to the server to retrieve object data packets representative of the objects on the selected web page; means (repository 29, col. 8 lines 18-24 and col. 18 lines 41-46) for locally storing the retrieved web page data packets and the retrieved object data packets; but does not explicitly teach of a means for selectively transmitting the retrieved web page data packets and at least a portion of the object data packets in bundled form to the subscriber side of the wireless link. However, transmitting RF signals is disclosed in (col. 14 lines 9-11). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included to the invention a means for selectively transmitting the locally stored web page data packets and at least a portion of the locally stored object data packets in bundled form to the subscriber unit side of the wireless link in order to navigate to a specific web page as suggested by Hsu (col. 17 lines 53-57).

7. Claims 1 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farley et al. Referring to claim 1, Farley et al. discloses in a data transmission system including a wireless link for transmitting packets between an end user machine (Fig. 1 ref. signs 12-1, 12-2, ..., 12-m and respective portions of the spec.) and an Internet server (Fig. 1 ref. sign 30 and respective portions of the spec.) that houses content in the form of web pages (web page, [0020]) containing objects, the wireless link comprising a mobile subscriber unit (Fig. 1 ref. signs 14-1, 14-2,..., 14-m and respective portions of the spec.) coupled to the end user machine and a base station (Fig. 1 ref.

sign 20 and respective portions of the spec.) coupled to the server and in radio communication with the subscriber unit, a selected web page (web page, [0020]) on the server being retrieved in the form of web page data packets in response to web page retrieval request packets, the objects on such web page being separately retrievable in the form of object data packets (data packets [0007]) in response to object retrieval request packets, a method of maximizing transmission efficiency over the wireless link, which comprises the steps of intercepting the retrieved web page data packets on the base station side of the wireless link; locally generating, from the intercepted (intercepted, [0012]) retrieved web page data packets, object retrieval request packets representative of the objects on the selected web page; transmitting (transmitting, [0045], [0062] and [0092]) the locally generated object retrieval request packets to the server to retrieve the corresponding object data packets; selectively transmitting the web page data packets (data packets [0046]) and at least a portion of the locally stored object data packets in bundled (along with, [0046]) form to the subscriber unit side of the wireless link, but fails to explicitly teach of locally storing the retrieved web page data packets and the retrieved object data packets. However, a database is disclosed in (Fig. 1 ref. sign 25 and respective portions of the spec.). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included to the invention locally storing the retrieved web page data packets and the retrieved object data packets in order to be able to retrieve the data packets on the file server side of the link as suggested by Farley et al. [0052]).

Referring to claim 12, Farley et al. discloses in a data transmission system including a wireless link for transmitting packets between an end user machine (Fig. 1 ref. signs 12-1, 12-2, ..., 12-m and respective portions of the spec.) and an Internet server (Fig. 1 ref. sign 30 and respective portions of the spec.) that houses content in the form of web pages (web page, [0020]) containing at least one object, the wireless link comprising a mobile subscriber unit (Fig. 1 ref. signs 14-1, 14-2,..., 14-m and respective portions of the spec.) coupled to the end user machine and a base station (Fig. 1 ref. sign 20 and respective portions of the spec.) coupled to the server and in radio communication with the subscriber unit, a selected web page (web page, [0020]) on the server being retrieved in the form of web page data packets in response to web page retrieval request packets, the objects in such web page being separately retrievable in the form of object data packets (data packets [0007]) in response to object retrieval request packets; means [subscriber unit 14, [0012], [0047], [0089], [0096], [0097] and [0126]) for intercepting the retrieved web page data packets on the base station side of the wireless link; means (PC device 12, [0092]) responsive to the intercepted web page data packets for locally generating object retrieval request packets for transmittal to the server to retrieve object data packets representative of the objects on the selected web page; means (Fig. 1 ref. sign 25) for locally storing the retrieved web page data packets and the retrieved object data packets; and means (routing device, [0046]) for selectively transmitting the retrieved web page data packets and at least a portion of the object data packets in bundled form to the subscriber side of the wireless link, but fails to explicitly teach of a means for locally storing the retrieved

web page data packets and the retrieved object data packets. However, a database is disclosed in (Fig. 1 ref. sign 25 and respective portions of the spec.). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included to the invention a means for locally storing the retrieved web page data packets and the retrieved object data packets in order to be able to retrieve the data packets on the file server side of the link as suggested by Farley et al. [0052]).

***Allowable Subject Matter***

8. Claims 5-11 and 14-17 are allowed.
9. Claims 2-4 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

**10. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 305-3988, (for formal communications intended for entry)

**Or:**

(703) 305-3988 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121  
Crystal Drive, Arlington, VA. 22202, Sixth Floor (Receptionist).

**11. Any inquiry concerning this communication or earlier communications from the  
examiner should be directed to Jamal A. Fox whose telephone number is (571) 272-  
3143. The examiner can normally be reached on Monday-Friday 6:30 AM - 5:00 PM.**

If attempts to reach the examiner by telephone are unsuccessful, the examiner's  
supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone  
numbers for the organization where this application or proceeding is assigned are (703)  
872-9306 for regular communications and (703) 872-9315 for After Final  
communications.

Any inquiry of a general nature or relating to the status of this application or  
proceeding should be directed to the receptionist whose telephone number is (703) 306-  
0377.

Art Unit: 2664

*Jamal A. Fox*  
Jamal A. Fox

A handwritten signature in black ink, appearing to read "JAMAL A. FOX".